

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11
: No. 23-11618 (MEW)
4D FACTORY, INC., *et al.*, :
Debtors.¹ : (Subchapter V Cases)
: (Jointly Administered)
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**STIPULATION OF SUBSTITUTION OF COUNSEL
AND NOTICE OF APPEARANCE, REQUEST FOR SERVICE OF PAPERS, AND
REQUEST TO BE ADDED TO MASTER SERVICE LIST**

PLEASE TAKE NOTICE that pursuant to Local Bankruptcy Rule 2090-1, Jenner & Block LLP (“Jenner”) hereby withdraws its appearance as counsel to Mark Long, Colin Foran, Naomi Lackaff, Aaron Nonis, Don Norbury, and Mark Yeend (collectively, the “Neon Shareholders”) in the above-captioned chapter 11 cases, and Paul Hastings LLP (“Paul Hastings”) hereby enters its appearance as counsel to the Neon Shareholders in the above-captioned chapter 11 cases (the “Chapter 11 Cases”). The undersigned requests that the Clerk of the United States Bankruptcy Court for the Southern District of New York remove Jenner from electronic and paper noticing for the Chapter 11 Cases. Pursuant to section 1109(b) of title 11 of the United States Code (the “Bankruptcy Code”) and Rules 2002, 3017.1, 3017.2, 9007 and 9010 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), the undersigned respectfully requests that all notices given or required to be given in the Chapter 11 Cases and all papers served or required to be served in such cases be served upon the following:

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, are 4D Factory Inc. (6770), and The 4D Factory LLC (8935).

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PLEASE TAKE FURTHER NOTICE that, pursuant to section 1109(b) of the Bankruptcy Code, the foregoing request includes not only the notices and papers referred to in the Bankruptcy Rules specified above, but also includes, without limitation, orders and notices of any application, complaint or demand, motion, petition, pleading or request, and answering or reply papers filed in these cases, whether formal or informal, written or oral, and whether served, transmitted or conveyed by mail, email, hand delivery, telephone, telegraph, telex or otherwise made with regard to the above-captioned cases and adversary proceedings herein.

PLEASE TAKE FURTHER NOTICE that this notice shall not be deemed or construed to be a waiver of any rights of the Neon Shareholders, including, without limitation, to (i) have final orders in non-core matters entered only after de novo review by a higher court, (ii) trial by jury in any proceeding so triable in these cases, or any case, controversy, or adversary proceeding related to these cases, (iii) have the reference withdrawn in any matter subject to mandatory or discretionary withdrawal, or (iv) any other rights, claims, actions, defenses, setoffs, or recoupments to which the Neon Shareholders may be entitled in law or equity, all of which rights, claims, actions, defenses, setoffs, and recoupments are expressly reserved.

Respectfully submitted,

Dated: January 16, 2024
New York, New York

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<i>Withdrawing Counsel to Mark Long, Colin Foran, Naomi Lackaff, Aaron Nonis, Don Norbury, and Mark Yeend</i>	<i>Substituting Counsel to Mark Long, Colin Foran, Naomi Lackaff, Aaron Nonis, Don Norbury, and Mark Yeend</i>

SO ORDERED

Dated: January __, 2024

Hon. Michael E. Wiles
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11
4D FACTORY, INC., *et al.*, : No. 23-11618 (MEW)
Debtors.² : (Subchapter V Cases)
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**DECLARATION OF JONATHAN D. CANFIELD IN SUPPORT OF STIPULATION
AND PROPOSED ORDER REGARDING SUBSTITUTION OF COUNSEL**

I, Jonathan D. Canfield, hereby declare:

1. I am a partner at the law firm of Paul Hastings LLP. I am an attorney admitted to practice before the courts of the State of New York and the United States District Court for the Southern District of New York, and I submit this declaration in support of the *Stipulation of Substitution of Counsel and Notice of Appearance, Request for Service of Papers, and Request to Be Added to Master Service List* substituting Paul Hastings LLP, as counsel for Mark Long, Colin Foran, Naomi Lackaff, Aaron Nonis, Don Norbury, and Mark Yeend (collectively, the “Neon Shareholders”) in the above-captioned bankruptcy cases in place of Jenner & Block LLP.

2. The Neon Shareholders have requested that Paul Hastings LLP represent them in these bankruptcy cases and have consented to the withdrawal of Jenner & Block LLP.

3. Neither the Neon Shareholders nor any other party will suffer prejudice, and these bankruptcy cases will not be disrupted, because the Neon Shareholders will continue to be represented by counsel.

² The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification number, are 4D Factory Inc. (6770), and The 4D Factory LLC (8935).

Pursuant to 28 U.S.C. § 1746, to the best of my knowledge, information and belief, and after reasonable inquiry, I declare under penalty of perjury that the foregoing is true and correct.

Dated: January 16, 2024
New York, New York

By: /s/ Jonathan D. Canfield
Jonathan D. Canfield, Esq.
PAUL HASTINGS LLP